REMARKS

Objections to Drawings

The Examiner has objected to Figure 1 stating that the Figure should be labeled as prior art.

Applicant has submitted a replacement drawing sheet showing Figure 1 labeled as prior art. Applicant requests the withdrawal of the objection.

Objections to Specification

The Examiner has objected to the specification due to various informalities. Applicant has amended the specification to correct the informalities and requests the withdrawal of the objection.

Objections to Claims

The Examiner has objected to claims 10, 17, and 23 due to various informalities. Applicant has amended these claims to correct the informalities and requests the withdrawal of the objection.

Rejections under 35 U.S.C. §§ 102, 103(a)

Claims 1-4, 7-19, and 22-25 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,141,594 (hereinafter referred to as "Flynn et al.")

Claims 1, 3, and 5-7 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,587,733 (hereinafter referred to as "Cross, Jr. et al.")

Claims 20 is rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,997,569 (hereinafter referred to as "Chen et al.")

Claims 2, 4, and 8-17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,587,733 (hereinafter referred to as "Cross, Jr. et al.") and in view of U.S. Patent No. 6,141,594 (hereinafter referred to as "Flynn et al.").

Applicant has amended the independent claims (except claim 20 which has been cancelled without prejudice) to clarify the claimed subject matter. Due to the amendment of the claims, the rejections are now moot and not addressed herein.

Amended Claims

Claim 1 recites:

a connection member coupled to the first lead body and the second lead body and operable when the connecting member is in a first state to maintain at least a portion of the first lead body in a first position relative to at least a portion of the second lead body, wherein the connection member is resorbed when implanted within the epidural space of a patient over a sufficient period of time to allow fibrosis around the first and second lead bodies to occur.

Claim 7 recites:

means coupled to the first lead and the second lead for maintaining at least a portion of the first lead in a first position relative to at least a portion of the second lead, wherein at least a portion of the means for maintaining comprises resorbable material that, when implanted within an epidural space of the patient, is resorbed over a sufficient period of time to allow fibrosis around the first and second lead bodies to occur.

Claim 10 recites:

wherein at least one of the first portion and the second portion comprises resorbable polymer material that is resorbed when implanted within the patient over a sufficient period of time to allow fibrosis around the first and second leads to occur.

Claim 17 recites:

wherein at least one of the first portion, the second portion and the third portion comprises resorbable polymer material that is resorbed when implanted within the patient over a sufficient period of time to allow fibrosis around the first and second leads to occur.

Claim 18 recites:

wherein at least one of the first portion, the second portion, and the third portion comprises resorbable polymer material that is resorbed when implanted within the patient over a sufficient period of time to allow fibrosis around the first and second lead bodies to occur.

Claim 22 recites:

coupling the distal end of the first lead body to the distal end of the second lead body with a connection member, at least a portion of the connection member

comprising resorbable polymer material that is resorbed when implanted within the patient over a sufficient period of time to allow fibrosis around the first and second lead bodies to occur.

Claim 24 recites:

wherein at least one of the first portion, the second portion, and the third portion comprises resorbable polymer material that degrades when implanted within the patient over a sufficient period of time to allow fibrosis around the first and second leads to occur.

Applicant respectfully submits that the applied references do not teach or suggest a connection member that is resorbable in the specific manner recited by these claims.

Flynn discloses a single pass endocardial lead system adapted for implantation on or about the heart. *See* Abstract of Flynn. The "medical adhesives or other equivalents 166" in Flynn are disclosed as including "dissolvable substances such as mannitol." Col. 6, lines 49-52. Mannitol is not resorbed in a patient over a sufficient time scale to allow fibrosis around the leads. Specifically, as is well known, mannitol is a sugar and will readily dissolve in the bloodstream. The time scale of resorption of the preferred medical adhesive in Flynn indicates that the endocardial lead system of Flynn is a fundamentally different type of device and is adapted for a fundamentally different purpose. Thus, Flynn does not teach or suggest the subject matter recited in claims 1, 7, 10, 17, 18, 22, and 24.

Cross discloses a lead having a connection member 20 of "urethane material." Col. 3, lines 55-59 of Cross. The polyurethane bridge in Cross is intended for permanent bonding of the two lead bodies and to establish rigidity of the medical lead. Accordingly, Cross fails to teach or suggest the subject matter of claims 1, 7, 10, 17, 18, 22, and 24.

Chen discloses a circular connection member 44 that is disengaged to allow a connection member to maintain a position after inserting the lead system into a human body. *See* Abstract of Chen. There is no teaching or suggestion that the connection member of Chen comprises resorbable material. Accordingly, Chen does not teach or suggest the subject matter of claims 1, 7, 10, 18, 22, and 24.

Thus, the applied references (individually or in combination) do not teach or suggest each and every limitation of the independent claims (claims 1, 7, 10, 18, 22, and 24). Accordingly, all of the independent claims are patentable over the applied references.

Likewise, the dependent claims are patentable over the applied references due to their dependency from patentable independent claims.

Conclusion

Applicant respectfully submits that the application is in condition for allowance and requests the Examiner to pass the application to issue. Applicant believes no fee is due with this response. However, if a fee is due, please charge Deposit Account No. 50-3906 (under Order No. 03-006US) from which the undersigned is authorized to draw.

Dated: 07-14-2006

Respectfully submitted,

By _____

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